

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In Re:
DAVID J WADD
CINDY J WADD
Debtor(s)

Chapter 13 Bankruptcy

Case No. 15-24117-GMH

**TRUSTEE'S OBJECTION AND NOTICE OF OBJECTION
TO DEBTORS' PROPOSED CHAPTER 13 PLAN**

Mary B. Grossman, Standing Chapter 13 Trustee has filed papers with the court objecting to the proposed plan filed by the debtor.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

The Trustee, Mary B. Grossman, hereby objects to the proposed Chapter 13 Plan in this bankruptcy proceeding for the following reason(s):

- ☐ The proposed plan is not substantiated by a budget.
- ☒ This proposed plan does not provide for a feasible plan.
- ☐ The plan does not provide for the submission of all or such portion of future earnings or other future income of the debtor to the supervision and control of the Trustee as is necessary for the execution of the Plan. 11 U.S.C. §1322(a)(1).
- ☐ The plan does not provide for the full payment, in deferred cash payments, of all claims entitled to priority under 11 U.S.C. §507. 11 U.S.C. §1322(a)(2).
- ☐ The plan does not provide for the same treatment for each claim within a particular class. 11 U.S.C. §1322(a)(3).
- ☐ The plan has not been proposed in good faith. 11 U.S.C. §1325(a)(3).
- ☐ The plan does not provide that the value of property to be distributed under the plan is at least equal to the amount that would be paid on the unsecured claims in Chapter 7 liquidation. 11 U.S.C. §1325(a)(4).
- ☐ The debtor will be unable to make all the payments under the proposed plan or to otherwise comply with the terms of the proposed plan. 11 U.S.C. §1325(a)(6).
- ☐ Failure to pay all disposable income as required by §1325(b).
- ☐ Failure to properly serve post-confirmation plan modification as required by Rule 3015(g).
- ☒ Other: Due to the larger than anticipated claim by the IRS, the plan is no longer feasible.

The Trustee respectfully requests that a hearing be set in this matter.

Dated at Milwaukee, Wisconsin, this 11th day of August 2015

OFFICE OF CHAPTER 13 TRUSTEE

/s/ _____
Mary B. Grossman, Chapter 13 Trustee
Robert W. Stack, Staff Attorney
Christopher D. Schimke, Staff Attorney
Sandra M. Baner, Staff Attorney

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**CERTIFICATE OF SERVICE – TRUSTEE’S OBJECTION AND NOTICE OF OBJECTION
TO DEBTORS’ PROPOSED CHAPTER 13 PLAN**

The undersigned being first duly sworn on oath, deposes and says that on this date she electronically or conventionally served a copy of the attached Notice of Objection to Debtor’s proposed Chapter 13 Plan in accordance with FRBP and FRCP (5)(b)(2)(D) .

Dated: August 11, 2015

/s/ _____
Tongula Washington
Administrative Assistant to
Mary B. Grossman, Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203
(414) 271-3943

CONVENTIONAL MAIL RECIPIENTS:

Debtor(s):

DAVID J WADD & CINDY J WADD
W278 N1577 LAKEVIEW DR
PEWAUKEE, WI 53072

ELECTRONIC MAIL RECIPIENTS:

DELADURANTEY LAW OFFICE LLC
OFFICE OF THE US TRUSTEE